



08-22-01

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/844,706
	Filing Date	04/27/2001
	First Named Inventor	Shah
	Group Art Unit	2121
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission <u>201</u>	Attorney Docket Number	68110328.713

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply Preliminary	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Declaration for Utility/Design Patent Application
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Request to Correct Filing Receipt
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Check in the amount of \$840 for Missing Parts fees
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	Check in the amount of \$40 for assignment fee
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Copies of Patent References
		Postcard Acknowledgement

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John G. Flaim BAKER & MCKENZIE
Signature	
Date	08/21/2001

CERTIFICATE OF MAILING		EL 698812603US
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>08/21/2001</u>		
Typed or printed name	Donna Yarbrough	
Signature		Date <u>08/21/2001</u>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/844,706	04/27/2001	Arun Shah	68110328.713

Brian C. McCormack
Baker & McKenzie
2001 Ross Avenue, Suite 2300
Dallas, TX 75201



CONFIRMATION NO. 9552

FORMALITIES LETTER



OC00000006214987

Date Mailed: 06/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

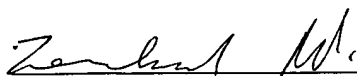
- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

08/27/2001 EABUBAK1 00000092 09844706

01 FC:101
02 FC:105

710.00 OP
130.00 OP

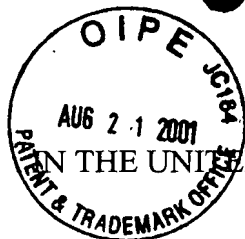
A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shah et al

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Group Art No.: 2121

Serial No.: 09/844,706

Examiner: - Not Yet Assigned -

Filed: April 27, 2001

Atty. Docket No.: 68110328.713

For: Allocation Measures and Metric
Calculation

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION**

EXPRESS MAIL MAILING LABEL NO.: EL698812603US

DATE OF DEPOSIT: 21 Aug. 2001
I, Donna Yarbrough, hereby certify that this correspondence is
being deposited on the date shown above with sufficient postage
with the United States Postal Service as Express Mail in an
envelope addressed to: Commissioner of Patents and
Trademarks, Washington, D.C. 20231.

[Signature]
Signature

21 Aug. 2001
Date

Commissioner of Patents
Washington, D.C. 20231
Attn: Initial Patent Examination Division

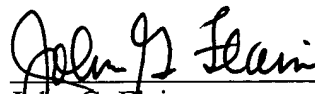
Dear Sir:

In response to the Notice to File Missing Parts of Application, mailed June 22, 2001,
enclosed are the following:

11. A copy of the "Notice to File Missing Parts of Nonprovisional Application";
2. A Declaration for Utility or Design Patent Application (37 CFR 1.63) signed by
inventors Shah, Novy and Ertl;
3. Formal drawings Figures 1-9;

4. Request to Correct Filing Receipt;
5. Preliminary Amendment;
6. Assignment Recordation Cover Sheet;
7. Assignment;
8. Information Disclosure Statement, PTO/SB/08A and copies of prior art references;
9. A check in the amount of \$40 to accommodate the assignment recordation fee; and
10. A check in the amount of \$840 to accommodate the filing fee for a large entity of \$710 and the late filing fee for oath or declaration of \$130.

Respectfully submitted,



John G. Flaim
Reg. No. 37,323

ATTORNEY FOR APPLICANTS

Date: August 21, 2001
BAKER & MCKENZIE
2001 Ross Avenue, Suite 2300
Dallas, TX 75201
214/978-3000
214/978-3099 fax

Attorney Docket No.
68110328.713

U.S. Patent Application No.
09/844,706

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shah et al
Application No: 09/844,706
Filing Date: April 27, 2001
Examiner: Not Yet Assigned
Group Art No: 2121
Attorney Docket Number: 68110328.706
For: Allocation Measures and Metric Calculation



Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

Dear Commissioner:

Attached is a copy of the official Filing Receipt received from the United States Patent and Trademark Office in the above application for which issuance of a corrected filing receipt is respectfully requested.

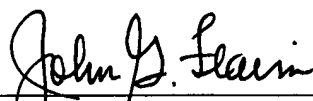
There are errors with respect to the domestic priority data as claimed by applicant. The priority information listed on the filing receipt is incorrect. The filing receipt should reflect the following:

"This Appln Claims Benefit of 60/199,975 04/27/2000 and 09/837,114 04/17/2001."

Applicants have concurrently filed a Preliminary Amendment correcting the specification accordingly.

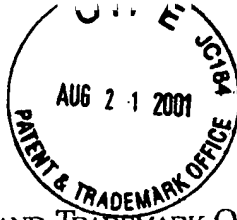
Applicants believe that no fees are required in connection with this filing. However, to the extent that fees are required, the Commissioner is authorized to charge those fees, or credit any overpayment, to Account No. 13-0480, Attorney Docket No. 68110328.713.

Respectfully submitted,



John G. Flaim
Registration No. 37,323

Date: August 21, 2001
BAKER & McKENZIE
2001 Ross Avenue
2300 Trammell Crow Center
Dallas, Texas 75201
Telephone: (214) 978-3000
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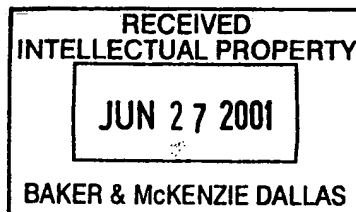


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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/844,706	04/27/2001	2121	0.00	68110328.713	10	10	2

Brian C. McCormack
Baker & McKenzie
2001 Ross Avenue, Suite 2300
Dallas, TX 75201



CONFIRMATION NO. 9552

FILING RECEIPT



OC000000006214986

Date Mailed: 06/22/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Arun Shah, Saratoga, CA;
Robert F. Novy, Redwood City, CA;
Robert A. Ertl, Residence Not Provided;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/199,975 04/27/2000

Foreign Applications

PCT/US01/12501 04/17/2001

If Required, Foreign Filing License Granted 06/21/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No ✓

Early Publication Request: No ✓

Title

Allocation measures and metric calculation ✓

Docketed
By CO Date 6-28-2001
Action Filing Date 7-07-2001
Receipt
Received